Remarks

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Initially, it is noted that ownership of the above-identified application has been transferred recently, and revocation and power of attorney papers will soon be made of record. In the meantime, the undersigned counsel confirms that authority to act on behalf of the new owner has been provided to the undersigned.

This response is being submitted along with a Request for Continued Examination and an extension of time. Claims 1, 3, 5, 14, and 20 have been amended without introduction of new matter. Claims 1-3, 5-15, and 17-20 remain pending and under examination. Continued examination of the pending claims is therefore requested. No excess claim fees are due with this submission.

The rejection of claims 1-3, 5-15, and 17-20 under 35 U.S.C. § 103(a) for obviousness over U.S. Patent No. 6,792,577 to Kimoto ("Kimoto") in view of U.S. Patent No. 6,910,068 to Zintel ("Zintel") is respectfully traversed.

Kimoto teaches that XML can be formatted according to preferences defined by XSL (Col. 11, lines 34-41), but this is not *in response* to the device being connected to the network. Rather, the XML (which may include XSL) is transmitted alongside the content (Col. 15, lines 19-20 and 35-40). If the user wants to choose a different format, he does so once the XML and XSL have been received (Figure 9, Col. 14, lines 13-22). Similarly, if the XML transmitted includes an authorisation key (Col. 15, lines 21-40), then the style is only enabled once the user has made a purchase—i.e., after the XML and style have been downloaded. In both examples, however, the XML is pushed to the user; it is not sent in response to a device being connected to the network.

The U.S. Patent and Trademark Office ("PTO") at page 3 of the outstanding office action concedes this deficiency of Kimoto, yet alleges that Zintel teaches this deficiency. Applicants respectfully disagree.

Zintel teaches that an announce packet is sent by the device to allow information about the device to be determined. However, the announce packet does not contain this information—rather, it contains a link or URL to an XML file containing such information (Col. 50, line 64 to Col. 51, line 9). Thus, according to Zintel, upon connection of a device to the network, the device format preference including format information for needed data is only available after accessing the URL containing the XML file.

In contrast to the combination of Kimoto and Zintel, the presently claimed methods recite "sending a device format preference to said data repository in response to said

connecting *at a time the device is initially connected to the network*" (claim 1, emphasis introduced) and "sending, *in response to said connecting at a time the device is initially connected to the network* or *each time said device is connected to the network*, an Extensible Stylesheet Language (XSL) stylesheet request for excerpted electronic programming guide (EPG) information, said stylesheet request including a device format preference from the device" (claim 14, emphasis introduced). This has the advantage of identifying the appropriate format directly to the repository, rather than relying on a third party link, which may sometimes fail. Because the combination of Kimoto and Zintel is deficient in this regard, and the PTO has failed to demonstrate how the prior art teaches or suggests this limitation of the claimed methods, the obviousness rejection of claims 1-3 and 5-15 over Kimoto and Zintel is improper and should be withdrawn.

Similarly, the system as presently claimed recites "a data packet containing a request for specific information, said data packet specifying said data format preference and specific data of a document compatible with needs and capabilities of the device, wherein said data packet *is prepared by the device and transmitted over the network to said data repository*, said network being configured for using said data format preference in preparing the specific information for transmission to said device" (claim 20, emphasis introduced). Thus, this data format preference is provided directly by the user (device) as opposed to the above-noted approaches described in Kimoto and Zintel. Because the combination of Kimoto and Zintel is deficient in this regard, and the PTO has failed to demonstrate how the prior art teaches or suggests this limitation of the claimed invention, the obviousness rejection of claims 17-20 over Kimoto and Zintel is also improper and should be withdrawn.

For all these reasons, the rejection of claims 1-3, 5-15, and 17-20 for obviousness over Kimoto and Zintel should be withdrawn.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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